

**FILED**

**JUN 26 2013**

**New Jersey State Board of  
Massage and Bodywork  
Therapy Examiners**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MASSAGE AND BODYWORK  
THERAPY

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IN THE MATTER OF THE  
APPLICATION OF

FENG PAN

TO PRACTICE MASSAGE AND  
BODYWORK THERAPY IN THE  
STATE OF NEW JERSEY

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FINAL ORDER OF  
DENIAL OF CERTIFICATION/  
LICENSURE

This matter was opened to the Board of Massage and Bodywork Therapy (the Board) upon receipt of information which the Board has reviewed and the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Feng Pan submitted an application for certification, deemed as of September 4, 2012 to constitute an application for licensure, dated June 18, 2012.
2. On Mr. Pan's application, he checked "no" in response to questions as to whether he had been arrested or charged with any violation of law, or convicted of any crime or offense.
3. Mr. Pan underwent a criminal history background check which indicated that he had been arrested on July 12, 2009 on

charges of promoting prostitution. He explained that he had been transporting employees of a "massage store" in Long Island back and forth to work. Mr. Pan was convicted of disorderly conduct on September 17, 2010 and fined \$250.00.

#### CONCLUSIONS OF LAW

1. Mr. Pan's failure to disclose on his application that he had been arrested on charges of promoting prostitution in 2009, and convicted of a disorderly persons offense in 2010, constitutes a violation of N.J.S.A. 45:1-21(b).

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Certification/Licensure was entered on March 19, 2013, provisionally denying the Mr. Pan's application for certification/licensure. A copy of the Order was forwarded to the applicant by certified and regular mail at his address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless the applicant requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting the applicant's request for consideration and reasons therefor.

Although the record reflects that the certified mailing of

the Provisional Order was signed for, and the regular mailing was not returned, no response has been received to date. The Board therefore found that service had been effected, as the mailings had been sent to the applicant's address of record with the Board. The Board further found that inasmuch as no discrepancies had been raised with respect to the findings and conclusions of the Provisional Order, additional proceedings were not necessary, and the Provisional Order should be made final.

ACCORDINGLY,

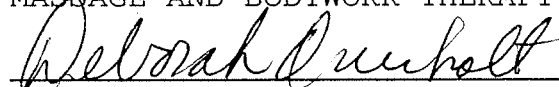
IT IS on this 26<sup>th</sup> DAY of June , 2013,

ORDERED that:

1. Mr. Pan's application for certification as a Massage, Bodywork and Somatic Therapist in New Jersey, deemed as of September 4, 2012 to constitute an application for licensure is hereby denied.

NEW JERSEY STATE BOARD OF  
MESSAGE AND BODYWORK THERAPY

By:

  
Deborah Overholt  
Chairperson